

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**In re: Philip Brockman Hager
583 Hazel Place, Unit A
Henrico, VA 23233-7546
xxx-xx-2395
Debtor.**

**Case No. 25-32367-KLP
Chapter 13**

NOTICE OF OBJECTION AND NOTICE OF HEARING

Please take notice that the Commonwealth of Virginia, Department of Social Services, and Division of Child Support Enforcement (the "Division") by counsel, has filed an objection to the confirmation of the above captioned Debtor's chapter 13 plan filed June 25, 2025.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before three days prior to the hearing date, you or your attorney must:

- File with the court at the address below, a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). The address of the clerk's office is:

Clerk of the Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

Unless a written response and supporting memorandum are filed and served by the dated specified, the Court may deem any opposition waived, treat the objection as conceded, and issue an order granting the relief requested without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. You must **also** mail a copy to the persons listed below.

- Attend the hearing to be held on **August 20, 2025, at 9:10 a.m.** at Judge Phillips' Courtroom, 701 E. Broad St., Rm. 5100, Richmond, Virginia.

- **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**
- A copy of any response must be mailed to the following persons:

Andrew Todd Rich, Esquire
Assistant Attorney General
Division of Child Support Enforcement
P.O. Box 71900
Henrico, VA 23255

Suzanne E. Wade, Trustee
7202 Glen Forest Dr.
Suite 202
Richmond, VA 23226

United States Trustee, Richmond
Office of the U. S. Trustee
701 E. Broad Street, Suite 4304
Richmond, VA 23219-1849

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

COMES NOW the Commonwealth of Virginia, Department of Social Services, Division of Child Support Enforcement (the “Division”), by counsel, and hereby objects to the confirmation of the chapter 13 plan filed on June 25, 2025, by the debtor in the above-captioned case (the “Debtor”), and in support thereof respectfully states as follows:

A. Background

1. On June 16, 2025 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 13 of the Bankruptcy Code.
2. On June 25, 2025, the Debtor filed his proposed chapter 13 plan (the “Plan”).
3. On July 21, 2025, the Division filed a proof of claim for pre-petition priority domestic support obligation arrears in the total amount of \$12,199.81, designated as claim number 17 in the official claims register (the “DSO Claims”).

B. The Debtor’s Plan Fails to Appropriately Provide Payment for Priority Obligations

1. The Court’s Form Plan requires that claims under 11 U.S.C. § 507(a)(1) for priority domestic support obligations be listed in Paragraph 3.C., which provides for concurrent payment of domestic support claims with administrative claims. All other priority claims are to be listed in Paragraph 3.B.
2. The Debtor has provided for the DSO Claim in Paragraph 3.B. of the Plan in the amount of \$16,983.00, along with four priority claims for pre-petition priority tax debts. The Division disputes the Debtor’s classification of the DSO Claim in Paragraph 3.B. The Division’s claim is for a priority domestic support obligation pursuant to § 507(a)(1) and is appropriately classified in Paragraph 3.C. of the Plan, to receive disbursements from the trustee ahead of the other priority claims.

3. In order to have a chapter 13 plan confirmed, it must provide for the full payment of all claims entitled to priority under 11 U.S.C. § 507, including domestic support obligations, unless the holder of the claim agrees otherwise. The Division does not consent to a different treatment.

WHEREFORE, for the reasons stated herein, the Commonwealth of Virginia, Department of Social Services, Division of Child Support Enforcement, respectfully requests that the Court deny confirmation of the Debtor's chapter 13 plan and grant such other and further relief as is just and proper.

Dated: July 31, 2025

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF SOCIAL SERVICES,
DIVISION OF CHILD SUPPORT ENFORCEMENT

/s/ Andrew Todd Rich
Andrew Todd Rich, VSB No. 74296
Assistant Attorney General
Dept. of Social Services
Division of Child Support Enforcement
P.O. Box 71900
Henrico, VA 23255
804-659-7850
todd.rich@dss.virginia.gov

Certificate of Service

I hereby certify that on the 31st day of July 2025, I electronically filed the foregoing Objection to Confirmation of Chapter 13 Plan with the Clerk of Court using the CM/ECF system, which provides electronic notice of such filing to all parties that receive notice in this matter including the following:

James H. Wilson, Jr., Esq.
Counsel for the Debtor

Suzanne E. Wade, Esq.
Chapter 13 Trustee

and to be sent by first class mail, postage prepaid, to the following non-CM/ECF participant:

Philip Brockman Hager
583 Hazel Place, Unit A
Henrico, VA 23233-7546

/s/ Andrew Todd Rich
Assistant Attorney General